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Attorneys for Plaintiffs,
UMG RECORDINGS, INC.; SONY BMG
MUSIC ENTERTAINMENT; ARISTA
RECORDS LLC; ELEKTRA
ENTERTAINMENT GROUP INC.;
CAPITOL RECORDS, INC.; and BMG
MUSIC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UMG RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; ARISTA RECORDS LLC, a
Delaware limited liability company; ELEKTRA
ENTERTAINMENT GROUP INC., a Delaware
corporation; CAPITOL RECORDS, INC., a
Delaware corporation; and BMG MUSIC, a New
York general partnership,
Plaintiffs,

v.

JOHN DOE #1,
Defendant.

CASE NO. 3:07-CV-04835-JCS

Honorable Joseph C. Spero

***EX PARTE* APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND [PROPOSED] ORDER**

1 Plaintiffs respectfully request that the Court continue the case management conference
2 currently set for January 11, 2008, at 1:30 p.m. to April 11, 2008.

3 Plaintiffs filed the Complaint against Defendant John Doe #1 ("Defendant") on September
4 20, 2007. Also on September 20, 2007, Plaintiffs filed their *Ex Parte* Application for Leave to Take
5 Immediate Discovery seeking the Court's permission to serve a Rule 45 subpoena on Santa Clara
6 University ("SCU"), so that Plaintiffs could obtain information sufficient to identify Defendant. On
7 October 3, 2007, this Court issued its Order Granting Plaintiffs' *Ex Parte* Application for Leave to
8 Take Immediate Discovery authorizing Plaintiffs to serve a Rule 45 subpoena on SCU. On
9 November 16, 2007, SCU responded to Plaintiffs' subpoena, providing Plaintiffs with identifying
10 information including Defendant's name, telephone number, and address.

11 Now that Plaintiffs know Defendant's identity, and in hopes of avoiding further litigation,
12 Plaintiffs have sent a letter to Defendant asking Defendant to contact Plaintiffs regarding possible
13 settlement of this matter. Plaintiffs have followed this letter with a telephone call to Defendant, but
14 the parties have not yet discussed settlement. If the parties are unable to resolve the dispute,
15 Plaintiffs plan to file an amended complaint naming Defendant personally.

16 Given the foregoing circumstances, and because there is not yet a named defendant in this
17 case, a case management conference is unnecessary at this time. Plaintiffs therefore request that the
18 Court continue the case management conference currently set for January 11, 2008, at 1:30 p.m. to
19 April 11, 2008.

20 Dated: December 20, 2007

HOLME ROBERTS & OWEN LLP

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22 By: /s/ Matthew Franklin Jaksa
23 MATTHEW FRANKLIN JAKSA
24 Attorney for Plaintiffs
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ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently set for January 11, 2008,
at 1:30 p.m. be continued to April 11, 2008.

Dated: _____

By: _____

Honorable Joseph C. Spero
United States Magistrate Judge